



## Jeff A. Pade

Partner, Litigation Department

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**Jeffrey A. Pade** is a partner in the Washington D.C. office of Paul Hastings. He is an intellectual property litigator with over 20 years of experience in all phases of trade secrets, patent, and other intellectual property laws. He has directed complex and international civil and criminal trade secrets and patent litigation strategies concerning mechanical, semiconductor, and many other technologies for clients around the globe, and actively represents international clients in intellectual property audits, trade secrets investigations and related counseling, strategic intellectual property initiatives, and corporate transactions. Prior to practicing law he interned for Judge Norman H. Stahl of the U.S. Court of Appeals for the First Circuit. Before law school, he was an engineer in the water treatment and aerospace industries.

### Recent Representations

- Foreign Fabricator: Current defense counsel in a complex international trade secrets and patent action against a large Korean conglomerate.
- Foreign Fabricator: Current counsel advising on overseas trade secrets inquiries.
- Foreign Fabricator: Won a complete dismissal, with prejudice, of a complex international trade secrets action against a large Korean conglomerate, in Federal District Court in California. The dismissed claims involved alleged theft of trade secrets under New York and California law, purported Lanham Act violations, and allegations under the Racketeer Influenced and Corrupt Organizations Act premised on trade secret theft.
- Domestic Fabricator: Directed a complex international investigation of theft of core corporate trade secret assets across multiple jurisdictions. The investigation required computer forensic analysis in multiple countries, involved issues of domestic and foreign trade secret laws (both civil and criminal), covered multiple actors, and spanned many years. Jeff successfully resolved the investigation without resort to formal litigation.
- Foreign Fabricator: Directed an overseas internal trade secrets investigation to

### Washington, D.C.

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### Practice Areas

Intellectual Property  
Patent Office  
Litigation  
Trade Secrets  
Patent Litigation  
Technology

### Admissions

District of Columbia Bar  
Virginia Bar  
United States Patent &  
Trademark Office  
Wisconsin Bar

### Education

University of New Hampshire  
School of Law, J.D. 1996  
University of Wisconsin-  
Madison, B.S.M.E. 1992

## Jeff A. Pade (Continued)

assess and limit potential trade secrets exposure. The investigation required intensive foreign forensics work, involved multiple actors, lasted many years, and was resolved without lawsuit or liability.

- **Foreign Fabricator:** Directed an audit and overhaul of a corporate conglomerate's overlapping intellectual property and related corporate policies, including drafting, revising and implementing document retention, confidentiality, trade secret, and security policies and procedures.
- **Financial Institution:** Served as strategic counsel concerning an offensive and domestic trade secrets dispute, including directing local counsel on a state UTSA claim. The case successfully settled in favor of the plaintiff.
- **Kolon Industries:** Jeff served as the lead lawyer on technical defenses of Kolon Industries in its massive and storied trade secrets dispute with DuPont and the U.S. Department of Justice. The case involved a multi-billion dollar dispute over aramid fiber technology, in which DuPont claimed Kolon stole crown jewel trade secret information concerning Kevlar. The magnitude of claimed damages, along with DuPont's request for a shut-down injunction, rendered the case among the largest and most intensely defended trade secret matters ever to be litigated in a U.S. court. The case spanned more than six years of active litigation, and involved multiple civil litigations, appeals, criminal investigation and prosecution by the U.S. government, criminal investigations in South Korea, enforcement litigations, and numerous other issues involving antitrust, unfair competition, and breach of contract claims. Following an initial \$930 million jury verdict in favor of DuPont in the first civil trial, Kolon appealed to the Fourth Circuit, who vacated the verdict in its entirety and ordered a new trial. Following remand, and prior to the impending trial of related criminal charges, Kolon successfully orchestrated a global settlement agreement with DuPont and a related plea agreement with the Department of Justice.
- **Foreign Fabricator:** Defended a civil trade secrets dispute in the U.S. where a competitor alleged theft of the competitor's trade secrets on memory technologies by hiring the competitor's former employee.
- **Lotte Chemical (previously Honam Petrochemical):** Won a complete dismissal, with prejudice, of a complex international trade secrets action against Lotte Chemical, a large Korean conglomerate, in Federal District Court in Alabama concerning carbon-fiber preforms used in the manufacture of high-performance disc brakes. The dismissed claims involved alleged theft of trade secrets, breach of contract, fraud, interference with contractual and business relations, and conspiracy.
- **UBS and Barclays (previously part of Lehman Brothers):** Defended UBS and Barclays in a patent action in the Northern District of Illinois concerning automated trading systems.

## Jeff A. Pade (Continued)

- **Foreign Chemical Company:** Avoided two lawsuits by developing and executing strategies causing potential plaintiffs to drop separate allegations of patent infringement.
- **Media Processing Company:** Developed a comprehensive and highly successful litigation and patent prosecution strategy in preparation for multiple offensive patent suits (currently on-going).
- **Chicago Mercantile Exchange:** Represented Chicago Mercantile Exchange in defensive and declaratory judgment patent infringement actions involving several patents relating to electronic trading of securities in the Northern District of Illinois and Delaware.
- **Moser Baer:** Defended Moser Baer in a multi-jurisdictional patent and commercial contract dispute concerning optical and magnetic storage media; ultimately obtained a critical win on a dispositive issue on appeal.
- **Shuffle Master:** Defended Shuffle Master in an antitrust and patent dispute concerning various casino games.
- **Applied Materials:** Successfully represented Applied Materials in the Northern District of California in a multi-faceted, offensive patent dispute involving combined litigation, prosecution, and reexamination strategies on wafer inspection systems.
- **eBay:** Represented eBay in a Federal Circuit appeal, a U.S. Supreme Court appeal, remand litigation before the Eastern District of Virginia, and reexamination proceedings before the U.S. Patent and Trademark Office concerning automated auction and payment systems.
- **Semitool:** Represented Semitool in an offensive and defensive patent action in the Northern District of California concerning wafer cleaning stations and single-wafer processors, including spray acid, spray solvent, and ECD Cu plating tools.
- **U.S. Equipment Fabricator:** Filed and resolved a declaratory judgment patent action against a foreign-based golf club manufacturer.
- **U.S. Manufacturer:** Defended a patent infringement action concerning molten-metal manufacturing processes.
- **Foreign Fabricator:** Defended allegations of patent infringement in an ICC International Arbitration.

## Accolades and Recognitions

- Recommended by The Legal 500 for Trade Secrets Litigation and Non-contentious matters.
- Mr. Pade was named in Asian-Mena Counsel for a trade secrets litigation victory on behalf of Lotte Chemical Corporation, which garnered recognition in The Legal Times, Seoul Economic Daily, etoday, and Korean Economic Daily.

## Jeff A. Pade (Continued)

- Mr. Pade's representation of Kolon Industries in its six-year, billion-dollar, international trade secrets litigation was instrumental in the firm's recognition by Chambers, Legal500, and The American Lawyer as a leading IP practice.

### Speaking Engagements and Publications

- Coauthor, "Federal Courts Shed Light On Extraterritorial Reach Of DTSA," Law360, August 8, 2019.
- Quoted, "Trade secret theft: approach US prosecutors with caution," Global Investigations Review, June 18, 2019.
- Speaker, Safeguarding Trade Secrets Across Borders, Trade Secrets 2018, What Every Lawyer Should Know, Practising Law Institute, San Francisco, CA, November 2018.
- Panel speaker, Trade Secret Issues Across International Borders, The Inaugural Meeting of the Sedona Conference, Working Group 12 on Trade Secrets, Los Angeles, CA, November 2018.
- Presenter, IP Academy, International Trade Secrets Developments and Strategies, March 1, 2018.
- Author, Jeff Pade and Thomas Counts, Trade Secrets Litigation Concerning Foreign Acts, International Association of Defense Counsel, Defense Counsel Journal, Volume 85, No. 1, January 2018.
- Professorial Lecturer in Law, The George Washington University Law School, Selected Topics in Intellectual Property (Trade Secrets Law & Practice) Fall 2017, 2018 & 2019.
- Panel speaker, Trade Secrets 2017, What Every Lawyer Should Know, Practising Law Institute, New York, NY, October, 2017 and San Francisco, CA, November 2017.
- Guest Speaker, Making A Federal Case Out of It ... When Trade Secrets Walk Out the Door, Association of Corporate Counsel, August 2017.
- Guest speaker, Trade Secrets and Cross-Border Commercial Transactions, ABA Section of International Law 2017 Spring Meeting, Washington DC, April 2017.
- Group Author, The Global Harmonization of Trade Secret Law: The Convergence of Protections for Trade Secret Information in the United States and European Union, European Intellectual Property Review (E.I.P.R.), Volume 38, Issue 12, 2016.
- Author, Jeff Pade, Anand B. Patel, Victoria Cundiff and Bradford Newman, The Global Harmonization of Trade Secret Law: The Convergence of Protections for Trade Secret Information in the United States and European Union, International Association of Defense Counsel, Defense Counsel Journal, Volume 84, No. 4, October 2016.

## Jeff A. Pade (Continued)

- Guest speaker on Transnational Issues in U.S. Trade Secrets Litigation, International Federation of Intellectual Property Attorneys (FICPI), 16th Open Forum, St. Petersburg, Russia, October 2016.
- Anand B. Patel, Jeff Pade, Victoria Cundiff & Bradford Newman, A Quick Guide Comparing the Defend Trade Secrets Act and the EU Trade Secrets Directive, Client Alert from Paul Hastings, June 1, 2016.
- Author, Critical Issues for Foreign Defendants in International Trade Secrets Litigation – Part II, Pratt's Privacy & Cybersecurity Law Report, June 2016.
- Daniel Prince, Jong Han Kim, Jeff A. Pade, and Mark D. Pollack, "Obama Out?" Not So Fast. President Obama Presented With Legislation that Would Create a Federal Civil Remedy for the Misappropriation of Trade Secrets, Client Alert from Paul Hastings, May 4, 2016.
- Author, Critical Issues for Foreign Defendants in International Trade Secrets Litigation – Part I, Pratt's Privacy & Cybersecurity Law Report, May 2016.
- Guest speaker, International Trade Secrets Issues, International Association of Defense Counsel's Midyear Meeting, Pebble Beach, CA, February 2016.
- Panel moderator, Successfully Mitigating Litigation Risks, U.S. Litigation Forum 2015, Seoul, Korea, October 2015.

### Professional and Community Involvement

- Represents U.S. veterans in multiple pro bono matters.
- Member, American Bar Association, American Intellectual Property Law Association, Federal Circuit Bar Association, and American Society of Mechanical Engineers.
- Member of the State Bars of the District of Columbia, Virginia, and Wisconsin.
- Member of the U.S. Court of Appeal for the Federal Circuit, the U.S. District Court of the Eastern District of Virginia, and the United States Patent and Trademark Office.

### Education

- University of New Hampshire School of Law, J.D., 1996
- University of Wisconsin Madison, B.S.M.E., 1992 (Pi Tau Sigma)

### News

#### April 04, 2014

Paul Hastings Leads Kolon Industries to Appellate Victory in Trade Secrets Case

#### January 09, 2013

Paul Hastings Leads Lotte Chemical Corporation to U.S. Trade Secrets Litigation

## Jeff A. Pade (Continued)

Victory

**June 07, 2010**

Paul Hastings Excels in 2010 Edition of Legal 500 US

**November 10, 2009**

Paul Hastings Scores IP Victory in Federal Circuit Appeal

**August 10, 2009**

Paul Hastings Strengthens IP Practice With Addition of Top IP Litigators

## Insights

**June 01, 2016**

Critical Issues for Foreign Defendants in International Trade Secrets Litigation -  
Parts I and II

**June 01, 2016**

A Quick Guide Comparing the Defend Trade Secrets Act and the EU Trade  
Secrets Directive

**May 04, 2016**

"Obama Out?" Not So Fast. President Obama Presented With Legislation that  
Would Create a Federal Civil Remedy for the Misappropriation of Trade Secrets

## Rankings & Awards

**April 05, 2019**

Recognized by Managing IP as the Life Sciences IP Litigation Firm of the Year

**January 30, 2019**

Recognized as the 2019 Post-Grant Firm of the Year by IAM Magazine